

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAMUEL MERCADO-ULLOA,)	CASE NO. C04-2463-JCC-MAT
)	(CR96-415-JCC)
Petitioner,)	
)	
v.)	ORDER GRANTING PETITIONER'S
)	MOTION TO COMPEL AND FOR
UNITED STATES OF AMERICA,)	LEAVE TO CONDUCT
)	ADDITIONAL DISCOVERY
Respondent.)	

Petitioner filed a motion to compel and for leave to conduct additional discovery. (Dkt. 15.) Respondent did not oppose petitioner's motion. Having considered petitioner's unopposed motion, the Court does hereby find and ORDER:

(1) Petitioner's motion to compel is GRANTED. Respondent shall immediately comply with the Court's June 6, 2005 Order. (*See* Dkt. entry 14.) If unable to produce the materials addressed in that Order, respondent shall immediately provide a detailed written explanation describing its efforts to locate the materials at issue and the reasons for the failure to produce those materials.

(2) Petitioner's request for leave to conduct additional discovery is GRANTED. Petitioner may serve on respondent the interrogatories and production requests attached as an exhibit to petitioner's motion to compel. (*See* exhibit to Dkt. 15.) Petitioner may further take the depositions of all persons involved in the preparation of the tapes and transcripts relevant to this

01 case, take document depositions of the relevant investigating agencies, and serve subpoenas duces
02 tecum on those agencies as provided for in the Federal Rules of Civil Procedure.

03 (3) The Clerk shall direct copies of this Order to counsel for petitioner and
04 respondent, and to the Honorable John C. Coughenour.

05 DATED this 26th day of July, 2005.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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